

CITY OF LOS ANGELES
CALIFORNIA

Seleta J. Reynolds
GENERAL MANAGER



ERIC GARCETTI
MAYOR

DEPARTMENT OF TRANSPORTATION
100 South Main Street, 10th Floor
Los Angeles, California 90012
(213) 972-8470
FAX (213) 972-8410

October 25, 2019

Colin Tooze
JUMP Bikes, a wholly owned subsidiary of Uber Technologies
1455 Market St. Floor #4
San Francisco, CA 94103

Subject: DOCKLESS ON-DEMAND PERSONAL MOBILITY ONE-YEAR PERMIT PROGRAM - MOBILITY DATA SPECIFICATION (MDS) NON-COMPLIANCE FOLLOW UP

Dear Mr. Tooze,

On October 8, 2019, the Los Angeles Department of Transportation (LADOT) notified you that JUMP Bikes, a wholly owned subsidiary of Uber Technologies (herein referred to as "Uber") is non-compliant with LADOT's [Dockless On-Demand Personal Mobility One-Year Permit Program](#) (herein referred to as LADOT's Dockless Permit). LADOT requested a written plan for compliance by Wednesday, October 16, 2019.

On October 16, 2019, you responded via letter, stating that Uber could not comply with the permit requirements, and you recommended a meeting to discuss a "compromise." LADOT agreed to a phone call with your team on October 24, 2019. On that call, you and staff reiterated the company's position that Uber's policies prevented it from meeting the MDS requirements and that Uber wanted the City to amend the MDS requirements to conform to its policy preferences. City staff on the call responded saying that all dockless on-demand personal mobility providers must comply with the data sharing requirements set forth in the MDS, which have been a clear condition of permit compliance dating back to the start of the one year pilot program. We also shared that Uber was the only dockless permit holder operating in the City that was not meeting its data sharing obligations. At this time, you remain out of compliance and have not communicated in writing or verbally any intent to comply.

LADOT has the authority and responsibility to manage the public right-of-way. To be effective, the Department requires information about the location and movements of for-profit transportation companies that use our streets and sidewalks. This data ensures providers are fulfilling their permit

regulations and obligations, and more importantly helps us uphold our duties to keep people safe, relieve congestion, and improve the quality of life for people in Los Angeles.

Your response to date fails to provide a plan for correcting outstanding issues. Furthermore, in both your written and verbal communications you restated a series of inaccuracies.

First, your letter falsely states that “LADOT agreed not to require real-time trip data as a condition of our permit.” Following a conversation with your Chief Legal Officer Tony West, and other dockless providers, LADOT agreed to modify in-trip real-time telemetry data sharing requirements, to be delivered within 24 hours. This shift was exclusive to *in-trip* telemetry data.

Second, Uber notes both technical inability to comply with LADOT’s regulations claiming “*it is not technically possible for us to receive, consolidate, validate, and share this data at a latency of precisely 24-hours.*”

At the moment, LADOT is collecting this data from every other dockless provider operating in the City. Technical ability to comply with all permit regulations is a requirement of operating in the City of Los Angeles. This requirement is clearly spelled out in LADOT’s Technical Compliance Overview. There are no exceptions.

Third, you claimed that there are “no terms in the permit that define an acceptable timeframe for the transfer.” Noted on page 14 in LADOT’s Dockless Permit Requirements, LADOT requires compliance with both versions of the Mobility Data Specification. Details on technical compliance with MDS were repeatedly shared with Uber and all providers.

You also stated concerns about complying with LADOT’s requirement to transmit *trip_start event and trip_end event* within 5 seconds, citing privacy concerns. Private mobility operators generate and collect massive amounts of personal and financial data. In contrast, LADOT does not collect information specific to individual riders beyond trip information. As detailed in our [Data Protection Principles](#), the data it collects is classified as sensitive and confidential, and is held to the highest levels of cyber security practices.

Finally, you claimed that LADOT failed incorporate feedback from privacy experts into our permit guidelines, or data requirements. As stated above, LADOT established a set of [Data Protection Principles](#), acknowledging concerns raised. Before formalizing these principles, LADOT posted them publicly and received dozens of comments from more than 1,000 people who viewed them. As we highlighted above, based on industry concerns and a commitment to our data protection principles, LADOT removed real-time in-trip telemetry requirements and third-party token access.

Per the permit guidelines (pg.36) “Grounds for terminating Program permits include, but are not necessarily limited to [...] c) Failure to abide by the Specification.” Your refusal to comply with Los Angeles City Council’s adopted rules and regulations may jeopardize the safety and wellbeing of Angelenos and the millions who visit our City every year. We expect you to come into compliance by Monday, October 28, 2019 at 5 PM PST. If you fail to meet our compliance check at that time, we will

issue a notice of suspension to Uber Technologies Inc., take action to collect on the performance bond that was required as a condition of your permit, require the immediate suspension of all rentals through your application, and require the removal of any of your dockless mobility vehicles operating within the City of Los Angeles.

Sincerely,



Marcel Porras

Chief Sustainability Officer
Bureau of Transportation Technology